EXHIBIT 3
2019.07.29 - Correspondence re Document Custodians

From:	Tryck, Jennafer M.
To:	david.kocan@morganlewis.com; McKonly, Amber; Evanson, Blaine H.; Long, Brett; McCracken, Casey J.; Whittaker, Chris; Vandevelde, Eric D.; Gorman, Joseph A.; Thomas, Jeffrey T.; Perry, Mark A.; Liversidge, Samuel; Morgan, Tracy A.; Thompson, Arlene R.; Weaver, Cynthia; Mathur, Shaun; Christiansen, Jeremy M.
Cc:	[EXT] Hill, Zachary S.; [EXT] Polito, John A.; [EXT] Reblitz-Richardson, Beko; [EXT] Rodriguez, Sean; ajensen@BSFLLP.com; benjamin.smith@morganlewis.com; KDunn@BSFLLP.com; sharon.smith@morganlewis.com; Wisaacson@BSFLLP.com; [EXT] Schlabach, Gabriel; sungar@bsfllp.com; tle@bsfllp.com; khartnett@bsfllp.com; rpocker@bsfllp.com; jacob.minne@morganlewis.com; [EXT] Lee, Lisa S.
Subject:	RE: Rimini I -- Correspondence re Document Custodians
Date:	Monday, July 29, 2019 4:52:07 PM

Counsel,

We write to address your questions regarding search term hits. We will respond in separate correspondence to the other issues you raised today.

We note first that Oracle has not responded to our request that it substantially narrow its search terms. They are vastly too broad, returning more than 225,000 documents (not including data from custodians' hard drives or document families). The hit counts are far too high given the compressed discovery time period. We reiterate our request that Oracle propose narrower search terms.

After investigating the questions you raised this morning, we can report that the terms in your email were omitted from the chart we sent on Friday because they returned 0 hits. The one exception is the term "Dev-Instruction," which was not included in Oracle's July 12 letter and thus was not run as a search term.

The following terms you identify in your email this morning do not match the terms in Oracle's July 12 letter:

TierPoint*
Tier Point*
Unit_test*
Unit Test*
Code_After*
CodeBefore*

After reading your email, we now presume this is because Oracle's July 12 letter did not include delimiters between terms (i.e., ","). For instance, your email separates "Code_After*" and "CodeBefore*", but in Oracle's July 12 letter, these terms appeared as follows: "Code_After*CodeBefore*". Without a delimiter, the system reads this as a single term and not two terms.

We re-ran these terms and they generated the following hits:

TierPoint*	168
Tier Point*	0
Unit_test*	0
Unit Test*	527

Code_After*	482
CodeBefore*	0

Regards,
Jenny

Jennafer Tryck

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From: Kocan, David R. <david.kocan@morganlewis.com>
Sent: Monday, July 29, 2019 11:30 AM
To: McKonly, Amber <AMcKonly@gibsondunn.com>; Evanson, Blaine H. <BEvanson@gibsondunn.com>; Long, Brett <BLong@gibsondunn.com>; McCracken, Casey J. <CMcCracken@gibsondunn.com>; Whittaker, Chris <CWhittaker@gibsondunn.com>; Vandevelde, Eric D. <EVandevelde@gibsondunn.com>; Gorman, Joseph A. <JGorman@gibsondunn.com>; Tryck, Jennafer M. <JTryck@gibsondunn.com>; Thomas, Jeffrey T. <JTThomas@gibsondunn.com>; Perry, Mark A. <MPerry@gibsondunn.com>; Liversidge, Samuel <SLiversidge@gibsondunn.com>; Morgan, Tracy A. <TMorgan2@gibsondunn.com>; Thompson, Arlene R. <AThompson@gibsondunn.com>; Weaver, Cynthia <CWeaver@gibsondunn.com>; Mathur, Shaun <SMathur@gibsondunn.com>; Christiansen, Jeremy M. <JChristiansen@gibsondunn.com>
Cc: [EXT] Hill, Zachary S. <zachary.hill@morganlewis.com>; [EXT] Polito, John A. <John.polito@morganlewis.com>; [EXT] Reblitz-Richardson, Beko <brichardson@bsfllp.com>; [EXT] Rodriguez, Sean <srodriguez@bsfllp.com>; ajensen@BSFLLP.com; benjamin.smith@morganlewis.com; KDunn@BSFLLP.com; sharon.smith@morganlewis.com; Wisaacson@BSFLLP.com; [EXT] Schlabach, Gabriel <gschlabach@bsfllp.com>; sungar@bsfllp.com; tle@bsfllp.com; khartnett@bsfllp.com; rpocker@bsfllp.com; jacob.minne@morganlewis.com; [EXT] Lee, Lisa S. <lisa.lee@morganlewis.com>
Subject: RE: Rimini I -- Correspondence re Document Custodians

[External Email]
Counsel,

Thank you for the meet and confer on Wednesday. We are writing with a few particularly pressing issues that remain outstanding regarding Casey's two July 23, 2019 letters, our meet and confer call last week, and the custodian keyword hit counts received on Friday, July 26th. We would appreciate a response to these items today if possible, but by no later than 12 noon tomorrow (*i.e.*, Tuesday, July 30) so that we can take additional steps as necessary. We will follow up subsequently regarding additional items.

- ***Dev Instructions***. Rimini's Supplemental Response to Interrogatory 1 identifies "Dev Instructions" as a critical element of its PeopleSoft development process that were implemented after the Injunction took effect. However, Rimini has not yet produced any Dev Instructions, claiming that they are not responsive to any of Oracle's document requests. This position is meritless. The Dev Instructions are responsive to, at a minimum, Oracle's Requests for Production (RFPs) 1, 3 and 4, and they should be produced immediately. Oracle is prejudiced by Rimini refusing to produce key documents about its post-Injunction processes through an unreasonable parsing of Oracle's discovery requests. RFP 1 asks for documents concerning changes made by Rimini in response to the injunction; Rimini admits that it implemented the Dev Instructions post-Injunction but refuses to produce based on its insistence that this change was not "directly 'in response to'" the Injunction (Rimini Supp. Resp. to Interrog. 1). Such sophistry should not be used to deny Oracle clearly relevant discovery. RFP 3 asks for documents Rimini provided to its customers in conjunction with Oracle support post-Injunction, and our understanding is that Dev Instructions are transmitted to Rimini's clients via AFW, so RFP 3 also covers the Dev Instructions. RFP 4 concerns "[a]ll programs . . . used or created by Rimini in its support processes since November 5, 2018" including "manual processes"; Rimini's description of the Dev Instructions indicates that they are a development process that clearly falls within RFP 4. As we indicated on our call this week, we need to know immediately whether Rimini will produce the undeniably relevant documents; please advise.

- ***Other Updates***. Rimini's July 23, 2019 letter also confirmed that Rimini was still collecting and would be producing updates to Oracle. During the call, Rimini confirmed that this collection would include all Rimini controlled computer systems, with Rimini only refusing to produce documents from customer environments and cloud systems. Rimini also confirmed that it was collecting and producing updates regardless of whether they were developed on a Rimini or customer computer system. However, during the call, Rimini refused to provide a date certain by which it would complete its production. Oracle notes that these updates were expressly requested under RFP 3 and their production is now late, and continued delay is highly prejudicial. Accordingly, Oracle requests that Rimini commit to finish this production by August 2, 2019.

- ***AFW Production***. Rimini indicated that it could probably produce the complete set of AFW tables by August 2. Please confirm this target production date will be met. Please also confirm whether Rimini will produce the other documents detailed in RFP 8 by August 2, per Jacob's July 23 email and our conversation on Wednesday.

- ***Keyword Hit Counts***. Upon initial review, the following keywords included in Oracle's July 12th letter to Rimini appear to be missing from the hit counts that Rimini produced on Friday, July 26th. Accordingly, please produce these and any other missing keyword hit counts by close of business today, Monday, July 29th, along with confirmation that the final review of any custodians will include documents tied to these terms.

WriteLogDT	DevelopmentRev*	T & R*
__done__.txt	Dev-Instruction	TechSpec
__done_x.txt	DevInstruction*	Tier Point*

ApplyOnly*	Gen Apply*	TierPoint*
applyonly*	Gen Diff*	Unit Test*
apply-only*	Gen Hash*	Unit_test*
code member*	GenApply*	Verify Doc Process*
Code_After*	JobNbr	Verify Source Files*
CodeBefore*	Return Client Files*	visual c++ compiler
Copy From Another Update*	ReturnClientFiles*	visual compiler
Delete Client Files*	Send Client Files	
Dev_Instruction*	SourceClient*	

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From: McCracken, Casey J. <CMcCracken@gibsondunn.com>
Sent: Tuesday, July 23, 2019 4:44 PM
To: Minne, Jacob J.O. <jacob.minne@morganlewis.com>; *** Rimini I Oracle Service List - (External) <RiminiIOracleServiceList@gibsondunn.com>
Cc: *** Rimini 1 9th Cir. Appeal <Rimini19thCirAppeal@gibsondunn.com>
Subject: Rimini I -- Correspondence re Document Custodians

[EXTERNAL EMAIL]
Counsel,

Please see the attached letter from me regarding document custodians.

Regards,
Casey

Casey McCracken

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